

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

SMITH BARNEY FUND TRANSFER AGENT
LITIGATION

This document relates to: all actions

05 Civ. 7583 (WHP)

ECF case

**NOTICE OF MOTION TO DISMISS CLAIMS AGAINST THOMAS JONES IN THE
FOURTH CONSOLIDATED AND AMENDED CLASS ACTION COMPLAINT**

Please take notice that Defendant Thomas Jones shall move this Court before the Honorable William H. Pauley, in Courtroom 11D of the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007, on May 24, 2012 at 11:00 a.m., for an order dismissing all claims against Mr. Jones in the Fourth Consolidated and Amended Class Action Complaint.

This motion is made pursuant to Federal Rule of Civil Procedure 12(b)(6), 15 U.S.C. §§ 78u-4 *et seq.* (Private Securities Litigation Reform Act), and 28 U.S.C. § 1658, and is based on the points and authorities set forth in the concurrently filed Memorandum of Law.

Dated: March 30, 2012

By: /s/ Jessica B. Pulliam
Alex Bourelly (Admitted *pro hac vice*)
BAKER BOTTS L.L.P.
1299 Pennsylvania Avenue, NW
Washington, DC 20004
Tel: (202) 639-7700
Fax: (202) 639-7890
alex.bourelly@bakerbotts.com

Jessica B. Pulliam (Admitted *pro hac vice*)
John B. Lawrence (Admitted *pro hac vice*)
BAKER BOTTS L.L.P.
2001 Ross Avenue
Dallas, Texas 75201
Tel: (214) 953-6500
Fax: (214) 953-6503
jessica.pulliam@bakerbotts.com
john.lawrence@bakerbotts.com

Counsel for Defendant Thomas W. Jones

CERTIFICATE OF SERVICE

I hereby certify that on March 30, 2012, I served the foregoing on all parties by filing this document with the Clerk of Court using the CM/ECF system, pursuant to Local Civil Rule 5.2.

/s/ Jessica B. Pulliam
Jessica B. Pulliam